

**PATENT**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:  
Patricia Sarcabal *et al.*

Serial No.: 10/043,639

Filed: January 9, 2002

For: METHOD FOR PREPARING 1,3-  
PROPANEDIOL BY A RECOMBINANT  
MICRO-ORGANISM IN THE ABSENCE  
OF COENZYME B12 OR ONE OF ITS  
PRECURSORS

Patent No.: 7,267,972

Issue Date: September 11, 2007

Atty. Dkt. No.: CHEP:004US

Confirmation No.: 6528

CERTIFICATE OF ELECTRONIC TRANSMISSION

October 18, 2007

**PETITION UNDER 37 C.F.R. § 3.81(b)**  
**TO CORRECT ASSIGNEE IN ISSUED PATENT**

**MAIL STOP PETITION**

Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Pursuant to 37 C.F.R. § 3.81(b) and MPEP § 1481, Applicants respectfully request the grant of this petition to correctly depict the assignees names on the above-referenced patent.

Due to a clerical error, Applicants' representative inadvertently entered incorrect assignee information under item 3 of Form PTOL-85B at the time of payment of the Issue Fee. Only the

name of one assignee, Institut National de la Recherche, was included on the Issue Fee Transmittal form, however, the name “Institut National de la Recherche,” was not the correct corporate name of this assignee. In addition, there are actually three assignees of this patent, and Applicants’ representative inadvertently omitted the names of the second and third assignees.

The Notice of Recordation of Assignment Document indicates that an Assignment from Assignors Patricia Sarcabal, Christian Croux, and Philippe Soucaille to Assignees Institut National de la Recherche Agronomique, Institut National des Sciences Appliquées de Toulouse, and Centre National de la Recherche Scientifique was recorded on January 7, 2003, at reel/frame 013630/0831, before issuance of this patent. A copy of this document is attached hereto as Appendix A.

Therefore the correct names of the assignees should appear as follows:

Institut National de la Recherche Agronomique  
147 rue de l’Université  
75341 Paris cedex 07, France

Institut National des Sciences Appliquées de Toulouse  
Complexe Scientifique de Rangueil  
31077 Toulouse cedex 4, France

Centre National de la Recherche Scientifique  
3 rue Michel Ange  
75794 Paris cedex 16, France

It is requested that, if this petition is granted, the file be forwarded to the Certificate of Correction Branch for issuance of an appropriate Certificate of Correction.

In accordance with 37 C.F.R. §§ 1.17(i) and 1.20(a), a petition fee in the amount of \$130.00 and a certificate of correction fee in the amount of \$100 are being charged to a credit card through EFS-Web concurrently with this submission. If the payment is inadvertently omitted, or should any additional fees under 37 C.F.R. §§ 1.16 to 1.21 be required for any reason

relating to the enclosed materials, the Commissioner is authorized to deduct said fees from  
Fulbright & Jaworski Deposit Account No. 50-1212/CHEP:004US.

Respectfully submitted,

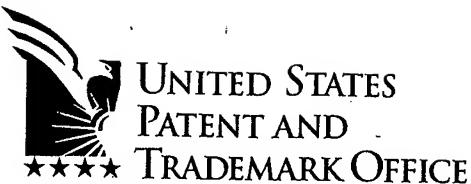


Mark B. Wilson  
Reg. No. 37,259  
Attorney for Applicants

FULBRIGHT & JAWORSKI L.L.P.  
600 Congress Ave, Ste. 2400  
Austin, Texas 78701  
512.536.3035 (voice)  
512.536.4598 (fax)

Date: October 18, 2007

## APPENDIX A



MAY 07, 2003

PTAS

FULBRIGHT & JAWORSKI, L.L.P.  
MARK B. WILSON  
600 CONGRESS AVENUE, SUITE 2400  
AUSTIN, TEXAS 78701

Under Secretary of Commerce For Intellectual Property and  
Director of the United States Patent and Trademark Office  
Washington, DC 20231  
www.uspto.gov



\*102332668A\*

UNITED STATES PATENT AND TRADEMARK OFFICE  
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 01/07/2003

REEL/FRAME: 013630/0831  
NUMBER OF PAGES: 4

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:  
SARCABAL, PATRICIA

DOC DATE: 03/27/2002

ASSIGNOR:  
CROUX, CHRISTIAN

DOC DATE: 03/28/2002

ASSIGNOR:  
SOUCAILLE, PHILIPPE

DOC DATE: 03/25/2002

ASSIGNEE:  
INSTITUT NATIONAL DE LA RECHERCHE  
AGRONOMIQUE  
147 RUE DE L'UNIVERSITE  
75341 PARIS CEDEX 07, FRANCE

ASSIGNEE:  
INSTITUT NATIONAL DES SCIENCES  
APPLIQUEES DE TOULOUSE  
COMPLEXE SCIENTIFIQUE DE RANGUEIL  
31077 TOULOUSE CEDEX 4, FRANCE

RECEIVED	
Date(s) Docketed: <u>May 7, 2003</u>	
Assignment Recorded	
e.s. MAY 20 2003	
Client: <u>CHEP: 004US</u>	
Attorney(s): <u>MBW</u>	
Initials: <u>mb</u>	

013630/0831 PAGE 2

ASSIGNEE:

CENTRE NATIONAL DE LA RECHERCHE  
SCIENTIFIQUE  
3 RUE MICHEL ANGE  
75794 PARIS CEDEX 16, FRANCE

SERIAL NUMBER: 10043639  
PATENT NUMBER:

FILING DATE: 01/09/2002  
ISSUE DATE:

ALLYSON PURNELL, EXAMINER  
ASSIGNMENT DIVISION  
OFFICE OF PUBLIC RECORDS

01-09-2003

FORM PTO-1595  
(Rev. 6-93)

OMB No. 0651-0011 (exp. 4/94)



102332668

HEET

U.S. Department of Commerce

Patent and Trademark Office

To the Honorable Commissioner of Patents and Trademarks: Please record the attached original document or copy thereof.

1. Name of conveying party(ies): 1-7-03

Patricia Sarcabal, Christian Croux, and Philippe Soucaille

Additional name(s) of conveying party(ies) attached?  Yes  No

3. Nature of conveyance:

Assignment  
 Security Agreement  
 Other

Merger  
 Change of Name

Execution Date: 3/27/02, 3/28/02, 3/25/02

2. Name and address of receiving party(ies):

Name: Institut National de la Recherche Agronomique

Street Address: 147 rue de l'Université, 75341 Paris cedex 07, France

Name: Institut National des Sciences Appliquées de Toulouse

Street Address: Complexe Scientifique de Rangueil, 31077 Toulouse cedex 4, France

Name: Centre National de la Recherche Scientifique

Street Address: 3 rue Michel Ange, 75794 Paris cedex 16, France

Additional name(s) & address(es) attached?  Yes  No

4. Application number(s) or registration number(s):

If this document is being filed together with a new application, the execution date of the application is:

A. Patent Application No.(s):

10/043,639

B. Patent No.(s):

Additional numbers attached?  Yes  No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: Mark B. Wilson  
 FULBRIGHT & JAWORSKI, L.L.P.  
 600 Congress Avenue, Suite 2400

City: Austin State: Texas Zip: 78701

6. Total number of applications and patents involved: 17. Total fee (37 C.F.R. 3.41) \$ 40.00 Enclosed Authorized to be charged to deposit account  
 if check insufficient or inadvertently omitted8. Deposit account number: 50-1212/CHEP:004US

(Attach duplicate copy of this page if paying by deposit account)

DO NOT USE THIS SPACE

9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Mark B. Wilson

12/30/2002

Name of Person Signing, Reg. No. 37,259

Signature

Date

Total number of pages including cover sheet, attachments and documents: 4

01/08/2003 D'DYRNE 00000226 10043639

CERTIFICATE OF MAILING  
 37 C.F.R. 1.8

01 FC: 0021

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Commissioner of Patents and Trademarks, Box Assignment, Washington, D.C. 20231 on the date below.

December 30, 2002  
 Date

Mark B. Wilson

A S S I G N M E N T

FOR GOOD AND VALUABLE CONSIDERATION, the receipt, sufficiency and adequacy of which are hereby acknowledged, the undersigned, do hereby:

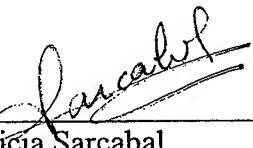
SELL, ASSIGN AND TRANSFER to Institut National de la Recherche Agronomique, having a place of business at 147 rue de l'Université, 75341 Paris cedex 07, France; Institut National des Sciences Appliquées de Toulouse, having a place of business at Complexe Scientifique de Rangueil, 31077 Toulouse cedex 4, France; and Centre National de la Recherche Scientifique, having a place of business at 3 rue Michel Ange, 75794 Paris cedex 16, France (the "Assignees" joint interests in the entire right, title and interest for the United States and all foreign countries in and to any and all improvements which are disclosed in the application for United States Letters Patent, Serial No. 10/043,639 which has been filed on **January 9, 2002** and is entitled "**METHOD FOR PREPARING 1,3-PROPANEDIOL BY A RECOMBINANT MICRO-ORGANISM IN THE ABSENCE OF COENZYME B12 OR ONE OF ITS PRECURSORS**", such application and all divisional, continuing, substitute, renewal, reissue and all other applications for patent which have been or shall be filed in the United States and all foreign countries on any of such improvements; all original and reissued patents which have been or shall be issued in the United States and all foreign countries on such improvements; and specifically including the right to file foreign applications under the provisions of any convention or treaty and claim priority based on such application in the United States;

AUTHORIZE AND REQUEST the issuing authority to issue any and all United States and foreign patents granted on such improvements to the Assignees;

WARRANT AND COVENANT that no assignment, grant, mortgage, license or other agreement affecting the rights and property herein conveyed has been or will be made to others by the undersigned, and that the full right to convey the same as herein expressed is possessed by the undersigned;

COVENANT, when requested and at the expense of the Assignees, to carry out in good faith the intent and purpose of this assignment, the undersigned will execute all divisional, continuing, substitute, renewal, reissue, and all other patent applications on any and all such improvements; execute all rightful oaths, declarations, assignments, powers of attorney and other papers; communicate to the Assignees all facts known to the undersigned relating to such improvements and the history thereof; and generally do everything possible which the Assignees shall consider desirable for vesting title to such improvements in the Assignees, and for securing, maintaining and enforcing proper patent protection for such improvements;

TO BE BINDING on the heirs, assigns, representatives and successors of the undersigned and extend to the successors, assigns and nominees of the Assignees.

Signature:   
Name: Patricia Sarcabal

Date: 27 mars 2002

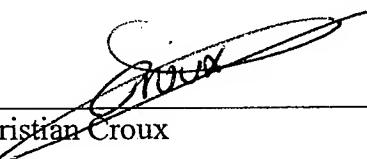
STATE OF )  
                  ) ss.  
COUNTY OF FRANCE )

BEFORE ME, the undersigned authority, on this \_\_\_\_\_ day of \_\_\_\_\_, 2002 personally appeared Patricia Sarcabal, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that she executed the same of her own free will for the purposes and consideration therein expressed.

---

Witness

[SEAL]

Signature:   
Name: Christian Croux

Date: 28/03/2002

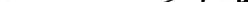
STATE OF )  
                  ) ss.  
COUNTY OF \_\_\_\_\_ )

BEFORE ME, the undersigned authority, on this \_\_\_\_\_ day of \_\_\_\_\_, 2002 personally appeared Christian Croux, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same of his own free will for the purposes and consideration therein expressed.

---

Witness

[SEAL]

Signature:   
Name: Philippe Soncaille

Date: 25.03.02

STATE OF \_\_\_\_\_ )  
COUNTY OF \_\_\_\_\_ )  
 ) SS.

BEFORE ME, the undersigned authority, on this \_\_\_\_\_ day of \_\_\_\_\_, 2002 personally appeared Philippe Soucaille, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same of his own free will for the purposes and consideration therein expressed.

Witness

[SEAL]

FULBRIGHT & JAWORSKI L.L.P.  
600 Congress Avenue, Suite 2400  
Austin, Texas 78701

UNITED STATES PATENT AND TRADEMARK OFFICE  
**CERTIFICATE OF CORRECTION**

PATENT NO. : 7,267,972  
DATED : September 11, 2007  
INVENTOR(S) : Patricia Sarcabal et al.

It is certified that error appears in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

Title Page, Item (73) Assignee, after "Recherche", please insert --Agronomique--.

Title Page, Item (73) Assignee, please add --Institut National des Sciences Appliquées de Toulouse, Toulouse (FR); Centre National de la Recherche Scientifique, Paris (FR)--.

MAILING ADDRESS OF SENDER:  
Mark B. Wilson  
FULBRIGHT & JAWORSKI L.L.P.  
600 Congress Ave., Suite 2400  
Austin, Texas 78701

PATENT NO. 7,267,972  
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